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REMARKS

Claims 1-25 are pending in the above-identified application. Claims 7-11 have been allowed. Claims 1, 19, and 22 have been indicated as allowable if rewritten to overcome the rejections under 35 U.S.C. 112. Claims 3-5, 21, and 23-25 have been indicated as allowable if rewritten in independent form. Claims 1, 2, 6, 12-20 and 22 have been preliminarily rejected. In light of the amendments presented above and the following remarks, reconsideration of the present application is respectfully requested.

Claims 2, 6 and 20 have been cancelled. Claims 1, 3, 6, 15-16, 18-19, and 21-22 have been amended hereinabove. Claims 3 and 21 have been placed into independent form. Applicant respectfully requests reconsideration and further examination of the application under 37 CFR § 1.111.

Section 112 Rejection

Claims 1, 6, 15, 16, 18, 19 and 22 have been preliminarily rejected under § 112. Applicant has amended these claims to clarify these concerns and requests these objections be withdrawn.

Claims 1, 19 and 22 have been indicated as being allowable if rewritten to overcome the 35 U.S.C. 112 rejection. Applicant has amended claims 1, 19 and 22 in accordance with the Examiner's recommendations. Accordingly, Applicant respectfully requests the rejection of claims 1, 19 and 22 be withdrawn.

Objected to Claims

Claims 3-5, 21 and 23-25 have been indicated as being allowable if rewritten in independent form. Applicant has amended Claim 3 to include the limitations according to the Examiner's recommendation and believes the claim to be allowable. Claims 4 and 5 depend

from independent Claim 3. Claim 21 has been amended to include the limitations of its base claim according to the Examiners recommendation and is believed allowable. Claims 23-25 depend from independent claim 21. Applicant respectfully submits that the objection has been resolved and these claims are allowable.

Section 102 Rejection in View of Karl et al.

Claim 12 has been rejected under 35 U.S.C. 102(b) as being anticipated by Karl et al. (U.S. Patent No. 5,857,742). The Applicant respectfully traverses. In order to establish a *prima facie* case of anticipation, each and every element and limitation of the subject claim must be disclosed in a single reference. According to Claim 12, Applicant's invention requires the limitation of "a one-piece body member having a first and a second engagement member disposed at a first and an opposing second side of said body member, respectively." A further limitation requires "wherein an engagement member of a first said seat module is adapted to receive and engagement member of a second said seat member." Applicant respectfully submits that Karl does not teach a one-piece body member with the above limitations. For example, Karl teaches a separate plate to secure the seating modules together (Karl, FIGS. 9-11). The requirement of an additional plate does not satisfy the limitation of a "one-piece body member having a first and second engagement member." For another example, claim 21 requires that the seat modules are adapted to pivot relative to one another. In contrast, Karl teaches the desirability of the chairs being made immobile (col. 1, ll. 49-50) where the plates are bolted in fixed relationship between the chairs. Accordingly, Applicant respectfully requests that the rejection be withdrawn and the claim be allowed.

Section 102 Rejection in View of Duckett et al.

Claim 15 has been rejected under 35 U.S.C. 102(b) as being anticipated by Duckett et al. (U.S. Patent No. 3,531,157). The Applicant respectfully traverses. As discussed above, each and every element and limitation of the subject claim must be disclosed in a single reference. Applicant respectfully submits that Duckett does not teach, for example, an engagement member with a front and a rear slot. The cited reference to Duckett (27, 28) represents a front slot on one seat (27) and a front aperture (28) on an adjacent seat. As another example, Duckett et al. does not teach front and rear apertures of different sizes. Applicant respectfully requests that the rejection be withdrawn and the claim be allowed.

Rejection of Claim 20

Claim 20 has been cancelled, so this rejection is moot.

Section 102 in View of Karl and Kornbluth

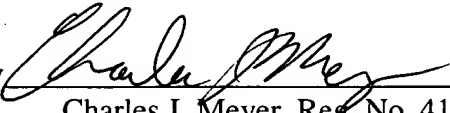
Claims 13, 14, and 16-18 have been rejected under 25 U.S.C. 103(a) as being unpatentable over Karl et al. (U.S. Patent No. 5,857,742) in view of Kornbluth (U.S. Patent No. 3,116,090). Claims 13, 14, 16-18 depend from independent Claim 12. As discussed above, Claim 12 is patentable over Karl et al. Because Claims 13, 14, and 16-18 depend from an allowable claim, Claims 13, 14, and 16-18 are also allowable. Accordingly, Applicant respectfully requests that the rejection be withdrawn and Claims 13, 14, and 16-18 be allowed.

CONCLUSION

Attached hereto are pages which present a marked up version of the changes made to this application by the current amendment. The first page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Applicant respectfully requests a Notice of Allowance for all pending claims. The undersigned welcomes a telephonic interview with the Examiner if the Examiner believes that such an interview would facilitate review of this application.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE
IN THE CLAIMS

Claims 2, 6, and 20 have been cancelled.

1. (Twice amended) An interlocking seating system comprising:

a support understructure;

a plurality of seat modules, each of said seat modules includes a body member having a first interlocking means and a second interlocking means respectively positioned on a first and an opposing second side of said body member; and,

a plurality of fasteners;

wherein said first interlocking means is adapted to receive said second interlocking means, thereby allowing adjacent seat modules to interlock and be secured to said support understructure by said fasteners inserted through said interlocked interlocking means;

wherein said first interlocking means [blind rabbets] and said second interlocking means [tabs] further include openings defined therethrough; and

wherein said openings defined through said first interlocking means [tabs] are of a different size than said openings defined through said second interlocking means [blind rabbets] to allow lateral and rotational motions between said interlocked adjacent seat modules.

3. (Amended) [The] An interlocking seating system [of claim 2] comprising:

a support understructure;

a plurality of seat modules, each of said seat modules includes a body member having a first interlocking means and a second interlocking means respectively positioned on a first and an opposing second side of said body member; and,

a plurality of fasteners;

wherein the interlocking means of a first seat module is adapted to receive the interlocking means of a second seat module, thereby allowing two adjacent seat modules to interlock and be secured to said support understructure by said fasteners inserted through said interlocked interlocking means;

wherein said plurality of seat modules comprises interior seat modules and aisle seat modules, said interlocking means of said interior seat modules comprise a tab and a blind rabbet, and said interlocking means of said aisle seat modules comprise two blind rabbets, said blind rabbets are adapted to interlock with said tabs; and

wherein said blind rabbets and said tabs further include openings defined therethrough, said openings defined through said tabs have a different size than said opening defined through said blind rabbets, thereby allowing lateral and rotational motions between said interlocked adjacent seat modules.

15. (Twice amended) A seat module comprising:

a one-piece body member having a first and a second engagement member disposed at a first and an opposing second side of said body member, respectively;

said first and second engagement members further including openings therethrough for receiving fasteners;

wherein an engagement member of a first said seat module is adapted to receive an engagement member of a second said seat module, thereby allowing the interlocking and placement of said first and said second seat modules in a side by side relationship, to be secured to said support by fasteners through said openings;

wherein said openings defined through said first engagement member [tab] comprises a front slot and a rear elongated slot[s] wherein said rear elongated slot is longer than said front

elongated slot; and wherein said openings defined through said second engagement member [blind rabbets] are apertures.

16. (Amended) The seat module of claim 14 wherein [said first engagement member comprises a tab and said second engagement member comprises a blind rabbet,] said blind rabbets define aperture openings and wherein said tabs define notch openings.

18. The seat module of claim 17 wherein said apertures further include counterbores adapted to receive heads of said fasteners.

19. (Twice amended) A seat module comprising:

a one-piece body member having a first and a second engagement member disposed at a first and an opposing second side of said body member, respectively;

said first and second engagement members further including openings therethrough for receiving fasteners;

wherein an engagement member of a first said seat module is adapted to receive an engagement member of a second said seat module, thereby allowing the interlocking and placement of said first and said second seat modules in a side by side relationship, to be secured to a [said] support by fasteners through said openings;

wherein said body member provides a recessed area for receiving a plate having indicia thereon; and

wherein each said body member further includes reinforcement means to provide added rigidity, a curved front, a curved upper surface, and a bottom having a concave surface formed therein and adapted to receive said curved upper surface when said curved upper surface is being

deflected down by weight of an occupant; and wherein said recessed area is tilted upward.

21. (Twice amended) A [The] seating system [of claim 20] comprising:

a support having a plurality of interior seat positions and first and second end seat positions within a sitting row;

a plurality of interior seat modules adapted for placement on said interior seat positions and said first end seat position, each of said plurality of interior seat modules comprising a body member having a tab protruding from a first side and a blind rabbet recessed in a second side of said body member;

an aisle seat module adapted for placement on said second end seat position, comprising a body member having at least one blind rabbet recess in a side of said body member;

a plurality of fasteners for attaching said interior and aisle seat modules to said support;

wherein said tabs and said blind rabbets further includes openings disposed therethrough for receiving said fasteners, said blind rabbets are adapted to receive said tabs whereby a seating row can be built by pivotably interlocking a plurality of said interior seat modules and capping said plurality of said interlocked interior seat modules with said aisle seat modules, and attaching said interlocked interior and aisle seat modules to said support by said fasteners through said openings; and

wherein said body member provides a recessed area for receiving a plate having indicia thereon and wherein said recessed area is tilted upward.

22. (Twice amended) A seating system comprising:

a support having a plurality of interior seat positions and first and second end seat positions within a sitting row;

a plurality of interior seat modules adapted for placement on said interior seat positions and said first end seat position, each of said plurality of interior seat modules comprising a body member having a tab protruding from a first side and a blind rabbet recessed in a second side of said body member;

an aisle seat module adapted for placement on said second end seat position, comprising a body member having at least one blind rabbet recess in a side of said body member;

a plurality of fasteners for attaching said interior and aisle seat modules to said support; end caps adapted for placement at said end seat position for receiving plates having indicia thereon; and

wherein said tabs and said blind rabbets further includes openings disposed therethrough for receiving said fasteners;

wherein said blind rabbets are adapted to receive said tabs whereby a seating row can be built by interlocking a plurality of said interior seat modules and capping said plurality of said interlocked interior seat modules with said aisle seat modules; and

wherein [attaching] said interlocked interior and aisle seat modules are attachable to said support by said fasteners through said openings.

wherein said body member provides a recessed area for receiving a plate having indicia thereon and wherein said recessed area is tilted upward.